



Senator Moore, Representative Luxenburg, Senator Sampson, Representative Scott and members of the Housing Committee:

**The State Marshal's Association of CT is OPPOSED to S.B. 1045 AN ACT ELIMINATING THE REQUIREMENT TO STORE THE PERSONAL PROPERTY OF EVICTED TENANTS**

State Marshals are sworn public officials responsible for enforcing civil court orders, including evictions. Under the proposed bill there would be no move-out of a tenant or occupant's possessions. There would be no storage of a tenant's items. All the possessions would be immediately forfeited to the landlord.

An eviction execution under such a system would be unmanageable for our State Marshals. What would be the function of the marshal on the actual eviction day? Would the function of the marshal be notifying a tenant or occupant that all their possessions are now legally garbage? The marshal would become the instrument to remove the tenant and have them walk away from all their possessions. State Marshals do not have back up on evictions. We don't have radios. We aren't provided tactical gear. Police Departments do not assist on evictions. The proposal seems like a recipe for a conflict and problems. If a landlord allows a tenant to take some things after such an "eviction", at what point is the person trespassing? When the landlord says, 'times up'? What role would the marshal play if any? The process would lack finality.

This bill is not in keeping with the role of a State Marshal in providing legal execution of court orders. A summary process judgment is a judgment of possession of the unit, not an order for the landlord to seize all the tenant's property. This bill sets up an opportunity for conflict. Our State Marshals are facing more and more dangerous situations on eviction removals. The proposal would stand to exacerbate this danger by making the marshal an instrument of trashing a tenant's possessions.

State Marshals are the most acquainted and knowledgeable about the actual eviction removal processes. Marshals are the neutral parties between the landlord and the tenant and are the enforcement mechanism of our civil courts.

The current CT eviction procedures strike the correct balance between enforcing the court order and protecting the tenant's possessions. The process does not need changing. When a State Marshal conducts an eviction under a summary process execution, the marshal's obligation is not solely to the landlord— but their obligation is to enforce the court order in accordance with the General Statutes, which includes protecting, moving, and storing the tenant's possessions.

Our current statutes provide that when an eviction occurs, the unit is returned to the landlord nearly immediately AND the tenant's personal belongings are protected, moved, and

stored. Our eviction removal process in Connecticut has a long history and purpose: sheriffs (now state marshals) have MOVED tenants' possessions and STORED them with municipalities *for over 125 years*. This careful balance was created with goal of protecting a tenant's belongings and preventing confrontations between tenant and landlord.

Tenants who are removed under eviction orders are often the most vulnerable in our population. Connecticut's current process of moving all the items out of the unit on the day of the eviction is an important way for the landlord to get the apartment back AND for the tenant to get their possessions back safely— in a neutral setting away from the unit. Don't upset that carefully constructed balance.

Please note that not every eviction involves a landlord tenant relationship. Many evictions are for persons who have lost legal title to their property in foreclosure or for persons who no longer have a right to occupy a property. Some persons who are evicted are in physically or emotionally poor condition. Some are elderly or have hidden the process from family due to shame. All their possessions should not become the landlord's. Evicted tenants should be treated with dignity, while landlord should equally be entitled to obtain their unit back in an orderly and speedy manner.

Evictions removals are not merely a private matter between a landlord and tenant. While a rental agreement is a private contract, when landlord goes into court to gain possession of the unit, the matter is no longer a private matter, but involves the court and the force of the government to enforce that order. Our state marshals are that enforcement mechanism of the courts.

Connecticut must always provide: protections for tenants; finality for landlords; and a smooth, safe, and orderly process under which State Marshals can conduct evictions. This bill doesn't do that. Our current process does.

Our State Marshals take their involvement in evictions very seriously and look to do their jobs with professionalism and care in these exceedingly difficult, wholly unpredictable, and unique personal situations. Eviction removals are an extremely sensitive area of our law. The General Assembly should not change the eviction removal process.

**We strongly encourage the Committee to reject SB 1045.**

Respectfully Submitted,

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State Marshal's Association of Connecticut